

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ARISTA RECORDS LLC, ATLANTIC  
RECORDING CORPORATION, CAPITOL  
RECORDS, LLC, ELEKTRA ENTERTAINMENT  
GROUP INC., LAFACE RECORDS LLC, SONY  
MUSIC ENTERTAINMENT, UMG  
RECORDINGS, INC., WARNER BROS.  
RECORDS INC., WARNER MUSIC GROUP  
CORP., and ZOMBA RECORDING LLC,

*Plaintiffs,*

v.

VITA TKACH, and DOES 1-10, D/B/A  
GROOVESHARK.IO AND GROOVSHARK.PW

*Defendants.*

CIVIL ACTION  
NO. 15-CV-03701-AJN

**NON-PARTY CLOUDFLARE INC.'S RESPONSE TO ORDER TO SHOW CAUSE FOR  
DEFAULT JUDGMENT AND PERMANENT INJUNCTION ORDER**

On July 9, 2015, the Court entered an order (ECF No. 82) clarifying that Non-Party CloudFlare, Inc. (“CloudFlare”) bears no responsibility to identify infringements of the “Groovesmark” trademark by CloudFlare’s customers, and must cease serving a customer only when notified of an infringement by Plaintiff UMG, or if CloudFlare otherwise has knowledge of an infringement. The Court further ordered that CloudFlare should cease providing services to such customers no later than 48 hours after receiving such notice or obtaining such knowledge, and that CloudFlare may notify such customers of the impending termination of their accounts.

Plaintiffs have requested entry of a permanent injunction consistent with the Court’s order of July 9. CloudFlare does not object to entry of such an injunction. However, if the Court contemplates entering a permanent injunction that differs in scope from the July 9 order, CloudFlare respectfully requests an opportunity to file a written response.

DATED: November 30, 2015

Respectfully submitted,

/s/ Mitchell L. Stoltz

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Mitchell L. Stoltz\_\_\_\_\_